



09-08-03

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
BOARD OF PATENT APPEALS AND INTERFERENCES

ATTORNEY'S DOCKET NO.:

A-5745 RECEIVED
SEP 05 2003

SERIAL NO:
09/728,534

FILING DATE:
11/28/00

EXAMINER:
Chernyshev, Olga N.

GROUP UNIT
1600/2900

IN RE APPLICATION OF: Goldenberg, et al.

For: Polyol/Oil Suspensions for the Sustained Release of Proteins

TO THE COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated March 6, 2003 of the Primary Examiner finally rejecting claim(s) 1-5, 8 and 13.

- Notice of Appeal fee not required (fee paid in prior appeal of this application)
- Notice of Appeal fee \$320.00 (37 CFR 1.17 (b))
- Applicant(s) petition(s) under 37 CFR 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:
 - One month (\$110.00)
 - Two months (\$410.00)
 - Three months (\$930.00) the fee which is accounted for in the Transmittal, filed herewith.

Please charge Deposit Account No. 01-0519 in the name of Amgen Inc. in the amount of \$320.00. The Commissioner is hereby authorized to charge any additional fees, which may be required or credit any overpayment to Deposit Account No. 01-0519. An original and one copy are enclosed.

Respectfully submitted,

Randolph N. Mohr
Attorney/Agent for Applicant(s)
Registration No.: 45,590
Phone: (805) 447-8949
Date: September 5, 2003

09/10/2003 REBRAHT 00000012 010519 09728534
02 FC:1401 320.00 DA

Please send all future correspondence to:

US Patent Operations/ RNM
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

EXPRESS MAIL CERTIFICATE

Express Mail mail labeling number: EV 351339312 US Date of Deposit: September 5, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sherry St. Andrew

Printed Name

Signature